

**AGENDA
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
FEBRUARY 9, 2016**

After determining that a quorum is present, the Planning and Zoning Commission of the City of The Colony, Texas will convene into regular session which will be held on Tuesday, February 9, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

1.0	CALL REGULAR SESSION TO ORDER
1.1	Citizen Input
2.0	CONSENT AGENDA
2.1	Consider approval of the minutes of the January 26, 2016 Regular Session.
2.2	<i>FP16-0001, Westbury at Tribute, Phase 1C1 Final Plat</i> Consider approval of a Final Plat of Lots 36-39, Block Y, Lots 1-4, & 40X, Block Z, for a total of eight (8) residential lots and one (1) common area lot being a 2.722 acres tract of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas located at northeast corner of Prescott and Lebanon Road in Planned Development 23 (PD-23) zoning district.
2.3	<i>FP16-0002, Westbury at Tribute, Phase 1B Final Plat</i> Consider approval of a Final Plat of Lots 23-30, Block R, Lot 1X, Block S, Lots 1-12, & 24, Block T, Lots 1-5 & 16-19, Block U, Lots 9-12, Block V and Lots 1-4, Block X for a total of thirty eight (38) residential lots and one (1) common area lot being a 9.812 acres tract of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas northwest of Prescott and Oxford Roads and north of the Tribute K-8 Stem Academy Addition in Planned Development 23 (PD-23) zoning district.

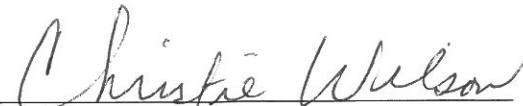
"Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session".

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Christie Wilson, City Secretary, at 972-624-3106 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 5th day of February 2016.




Christie Wilson, City Secretary

**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
JANUARY 26, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, January 26, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Shawn Rockenbaugh, Cesar Molina Jr., Brian Buffington, Janece Pool, and Shannon Hebb.

Board Members Absent: None

City Council Liaison: David Terre, City Council Place 4

Staff Present: Mike Joyce, AICP, Planning Director, Surupa Sen, AICP, Senior Planner, Brian McNulty, Engineering Technician, and Ed Voss, City Attorney.

1.0	CALL REGULAR SESSION TO ORDER
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Chairman Hames called the meeting to order at 6:30 p.m.

1.1	CITIZEN INPUT
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No citizens came forward during Citizen Input.

2.0	CONSENT AGENDA
2.1	Consider approval of the minutes of the January 12, 2016 Regular Session.

Chairman Hames read the Consent Agenda item into the record.

Commissioner Hebb moved to approve Item 2.1, Commissioner DeBurr seconded the motion. Motion carried (7-0).

3.0	PUBLIC HEARING ITEMS
3.1	<i>PDA15-0006 PD-16, Cascades Planned Development Amendment</i> Conduct a public hearing, discuss and consider making a recommendation to City Council regarding amendment to Ordinance 99-1129, Cascades Planned Development Ordinance, aka PD 16, allowing Townhouses as a land use within Tract B.

Chairman Hames read the public hearing item 3.1 into record.

Ms. Sen presented the staff report.

Applicant Bobby Samuel, Meritage Homes gave a presentation to the Commission.

Commissioner Hebb asked if there will be a right turn lane on Memorial Drive.

Mr. Samuel stated that during Site Plan review a Traffic Impact Analysis (TIA) will be completed and if required per the study then a right turn lane will be built.

Chairman Hames opened and closed the public hearing at 6:40 p.m. with no one wishing to speak on the item.

Commissioner DeBurr moved to approve Item 3.1 Commissioner Pool seconded the motion. Motion carried (7-0).

3.2	<i>PDA15-0007 PD-11, Ordinance No. 881 Amendment</i> Conduct a public hearing, discuss and consider making a recommendation to City Council regarding amendment to Ordinance 881 or Planned Development 11, Section 4, pertaining to Tract C development standards, item 5, Roof Slope, changing minimum roof slope from 12:12 to 5:12.
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Chairman Hames read the public hearing item 3.2 into record.

Ms. Sen presented the staff report.

Commissioner Hebb asked to confirm that currently the buildings within the Bristol Oaks apartment complex have a 5:12 slope.

Ms. Sen answered affirmative.

Chairman Hames opened and closed the public hearing at 6:43 p.m. with no one wishing to speak on the item.

Commissioner Rockenbaugh moved to approve Item 3.2 Commissioner Hebb seconded the motion. Motion carried (7-0).

4.0	DISCUSSION ITEMS
4.1	<i>SP15-0016 Pawsome Dog Park Development Plan</i> Discuss and consider making a recommendation to City Council on a request for Development Plan for Pawsome Dog Park within 1 Harris Plaza.

Chairman Hames read the discussion item 4.1 into record.

Ms. Sen presented the staff report.

Commissioner Hebb asked what buffer is provided next to the residential area.

Ms. Sen stated that there is a row of shrubs next to the existing alley and also some large trees are provided to mitigate the noise.

Commissioner Hebb asked how the maintenance will be handled.

Eve Morgan, Park Development Manager stated that users will be responsible for picking up their animal's waste. Whatever is not done, either City Staff or an outside contractor will be assigned to pick up waste.

Commissioner Hebb asked if there will be a user fee for this park.

Ms. Morgan stated that there will be no user fee for this facility.

Commissioner Molina asked what is bio-filtration BMP?

Ms. Morgan informed that there will be natural planting around the storm drain inlets to prevent waste material from getting into the storm drain system. They are also referred as bio-swales.

Commissioner Hebb moved to approve Item 4.1 Commissioner Molina seconded the motion. Motion carried (7-0).

4.2	<i>SP15-0026, Boathouse Retail, Lot 6R, Block C – Development Plan Amendment</i> Discuss and consider making a recommendation to City Council on a request for Development Plan to allow two retail buildings on a 3.67-acre parcel of land located near the southeast corner of Plano Parkway and Windhaven Parkway in the Planned Development 22 (PD-22 – Austin Ranch) zoning district.
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Chairman Hames read the discussion item 4.2 into record.

Ms. Sen presented the staff report.

Commissioner Hebb asked if a traffic study has been done as there is no right turn lane shown on Memorial Drive.

Tom Holland, Billingsley Company informed that they did perform a traffic study and a right turn lane will be provided.

Commissioner DeBurr moved to approve Item 4.2 Commissioner Rockenbaugh seconded the motion. Motion carried (7-0).

4.3	<i>SP15-0029 Cascades Restaurants Development Plan</i> Discuss and consider making a recommendation to City Council on a request for Development Plan for Cascades Restaurants, located at Northeast corner of SH 121 and Cascades Court, in Planned Development 16 (PD 16) aka Cascades Planned Development zoning district.
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Chairman Hames read the discussion item 4.3 into record.

Ms. Sen presented the staff report.

Commissioner Rockenbaugh moved to approve Item 4.3 Commissioner Hebb seconded the motion. Motion carried (7-0).

4.4	<i>SP15-0030, Bristol Oaks Apartments Development Plan</i> Discuss and consider making a recommendation to City Council on a request for Development Plan to allow addition of a multi-family building within Bristol Oaks Apartment Complex located at the Northeast quadrant of Main Street and Memorial Drive within PD 11 zoning district.
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Chairman Hames read the discussion item 4.4 into record.

Ms. Sen presented the staff report.

Commissioner Hebb asked if a new traffic study has been done for the site.

Ms. Sen answered that no traffic study was required for these additional multi-family unit being added to the site. The access points remain unchanged, one on Main Street and two on Memorial Drive.

Commissioner Hebb asked what the number of units added is, as it states 15-24 units on the plans.

Applicant Casey Ross, Dowdy Anderson Associates confirmed that there will be 24 units in the new building.

Commissioner Pool moved to approve Item 4.4 Commissioner Hebb seconded the motion. Motion carried (7-0).

There being no further business to come before the Commission, Chairman Hames adjourned the Regular Session of the Planning and Zoning Commission at 6: 59 p.m.

Karen Hames, Chairman

Surupa Sen, AICP, Senior Planner

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: February 9, 2016

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *FP16-0001, Westbury at Tribute, Phase 1C1 Final Plat*

Consider approval of a Final Plat of Lots 36-39, Block Y, Lots 1-4, & 40X, Block Z, for a total of eight (8) residential lots and one (1) common area lot being a 2.722 acres tract of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas located at northeast corner of Prescott and Lebanon Road in Planned Development 23 (PD-23) zoning district.

APPLICANT

Owner/Developer:	Tribute Partners LP	Lewisville, Texas
Engineer/Surveyor:	JBI Partners Inc.	Addison, Texas

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped.

PROPOSED DEVELOPMENT

8 residential lots and 1 common area are proposed with lots varying from 6,152 sf to 9,534 sf. The open space, Lot Z-40X is 53,437 sf or 1.227 acres. The residential lots will be accessed through Wembly Road.

ADJACENT ZONING

North - Planned Development District (PD-23) – Tribute
South - Planned Development District (PD-23) – Tribute
East- Planned Development District (PD-23) – Tribute
West- Planned Development District (PD-23) – Tribute

PLAT DETAILS

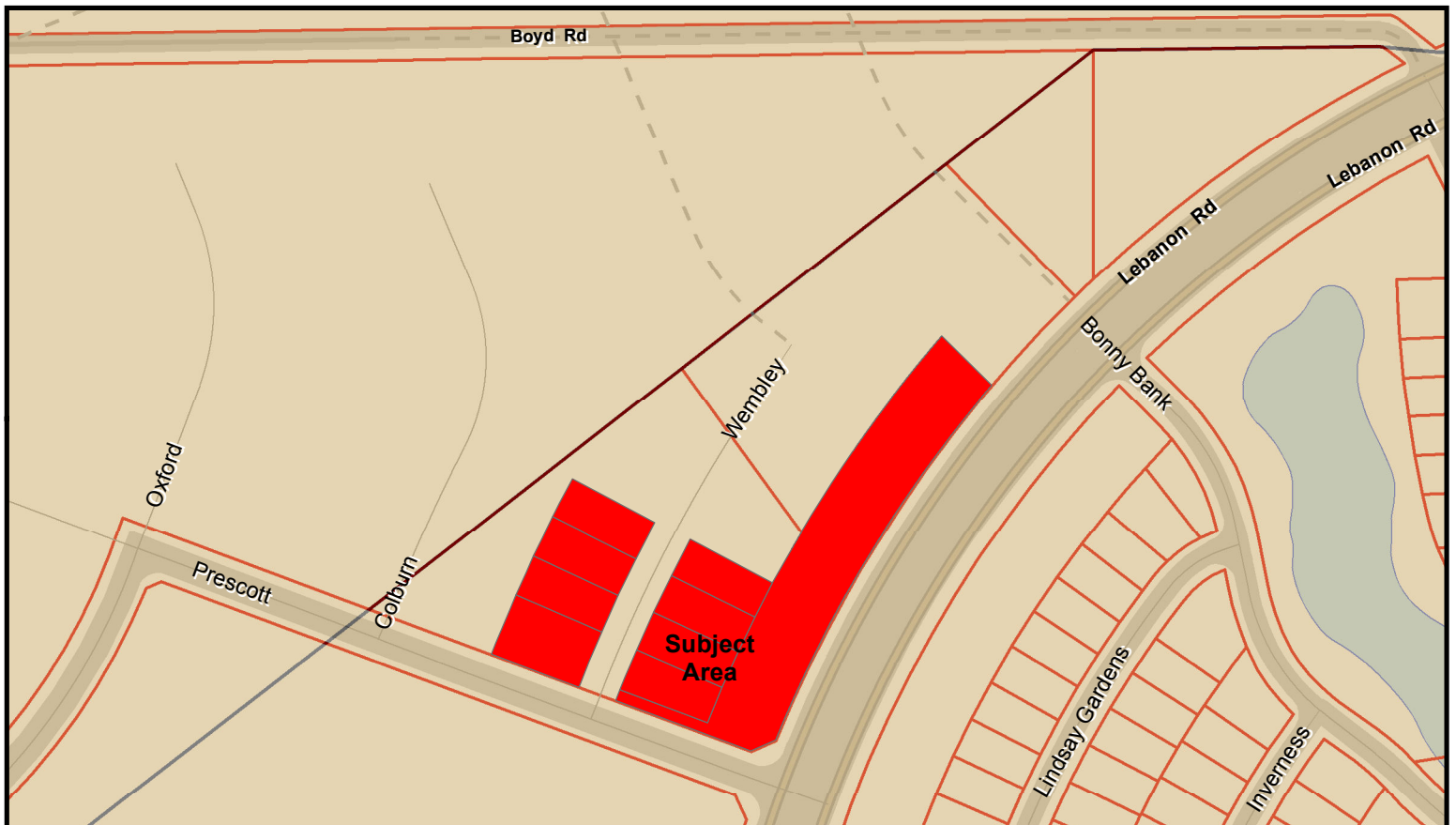
The subject property is located at the northeast corner of Prescott and Lebanon Road. A 2.722 acre of land is being subdivided into 8 residential lots and 1 common area. The Final Plat meets, Appendix B, Subdivision Ordinance, of The Colony Code of Ordinances, PD 23 Ordinance and other applicable ordinance requirements.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Final Plat.

ATTACHMENTS

1. Location Map
2. Proposed Final Plat

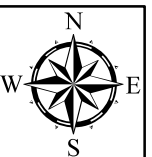


Project No. FP16-0001 - Project Name: Westbury at Tribute Ph 1C1



■ Westbury Ph 1C1	■ Business Park/Industrial	■ Heavy Commercial	■ Mobile Home	■ Planned Development
■ Agricultural	■ Duplex Dwelling	■ Industrial	■ Neighborhood Service	■ Shopping Center
■ Business Park	■ General Retail	■ Light Commercial	■ Office District 1	■ Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



OWNER’S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, Tribute Partners, L.P., is the owner of a parcel of land located in the City of the Colony, Denton County, Texas, being a part of the B.B.B. & C.R.R. Survey, Abstract No. 182, and being a part of that called 4.066 acre tract of land described in deed to Tribute Partners, L.P. as recorded in Document Number 2013–15969, Denton County Deed Records, and also being a part of Tract 16 called 3.000 acres as described in deed to Tribute Partners, L.P. as recorded in Document Number 2010–69114, Denton County Deed Records, and being further described as follows:

COMMENCING at a five–eighths inch iron rod found at the east corner of said Tract 16, said point being the south corner of Tract 3 called 1.9272 acre tract described in deed to The Tribute Owner’s Association, Inc. as recorded in Document Number 2008–28999, Denton County Deed Records, said point also being in the west right–of–way line of Lebanon Road (a 120 foot wide right–of–way) according to the plat recorded in Cabinet W, Page 268 of the Denton County Plat Records;

THENCE Southwesterly, 170.08 feet along a curve to the left with a central angle of 05 degrees 47 minutes 00 seconds, a radius of 1685.00 feet, a tangent of 85.11 feet, and whose chord bears South 43 degrees 21 minutes 50 seconds West, 170.01 feet to a one–half inch iron rod set for corner, said point being the POINT OF BEGINNING of this tract of land;

THENCE Southwesterly, at 313.02 feet along a curve to the left passing a five–eighths inch iron rod found at the south corner of said Tract 16, said point also being the east corner of said 4.066 acre tract in all a total distance of 535.53 feet, following same curve to the left with a central angle of 18 degrees 12 minutes 36 seconds, a radius of 1685.00 feet, a tangent of 270.04 feet, and whose chord bears South 31 degrees 22 minutes 04 seconds West, 533.28 feet to a one–half inch iron rod found at the intersection of the west right–of–way line of Lebanon Road with the north right–of–way line of Prescott (a 60 foot wide right–of–way) dedicated by plat of Tribute K–8 Academy Addition, an addition to the City of The Colony as recorded in Document Number 2013–347, Denton County Plat Records;

THENCE along the north right–of–way line of Prescott as follows:
South 66 degrees 06 minutes 52 seconds West, 35.80 feet to a one–half inch iron rod found for corner;
North 69 degrees 36 minutes 29 seconds West, 355.43 feet to a one–half inch iron rod set for corner;

THENCE North 22 degrees 38 minutes 26 seconds East, 82.82 feet to a one–half inch iron rod set for corner;

THENCE North 24 degrees 17 minutes 17 seconds East, 55.21 feet to a one–half inch iron rod set for corner;

THENCE North 25 degrees 49 minutes 11 seconds East, 55.21 feet to a one–half inch iron rod set for corner;

THENCE North 27 degrees 21 minutes 06 seconds East, 55.21 feet to a one–half inch iron rod set for corner;

THENCE South 61 degrees 52 minutes 57 seconds East, 120.00 feet to a one–half inch iron rod set for corner;

THENCE Northeasterly, 3.54 feet along a curve to the right having a central angle of 00 degrees 06 minutes 16 seconds, a radius of 1945.00 feet, a tangent of 1.77 feet, and whose chord bears North 28 degrees 10 minutes 11 seconds East, 3.54 feet to a one–half inch iron rod set for corner;

THENCE South 61 degrees 46 minutes 41 seconds East, 170.00 feet to a one–half inch iron rod set for corner;

THENCE North 29 degrees 01 minutes 18 seconds East, 49.54 feet to a one–half inch iron rod set for corner;

THENCE North 30 degrees 37 minutes 15 seconds East, 49.54 feet to a one–half inch iron rod set for corner;

THENCE North 32 degrees 13 minutes 06 seconds East, 49.44 feet to a one–half inch iron rod set for corner;

THENCE North 33 degrees 49 minutes 08 seconds East, 49.73 feet to a one–half inch iron rod set for corner;

THENCE North 35 degrees 25 minutes 45 seconds East, 50.02 feet to a one–half inch iron rod set for corner;

THENCE North 38 degrees 26 minutes 38 seconds East, 136.73 feet to a one–half inch iron rod set for corner;

THENCE South 46 degrees 00 minutes 12 seconds East, 90.16 POINT OF BEGINNING and containing 118,583 square feet or 2.722 acres of land.

LOT AREA TABLE		
BLOCK - LOT	SQ. FT.	ACRES
Y - 36	6,426	0.148
Y - 37	6,426	0.148
Y - 38	6,426	0.148
Y - 39	9,534	0.219
Z - 1	6,260	0.144
Z - 2	6,152	0.141
Z - 3	6,152	0.141
Z - 4	6,152	0.141
Z - 40X	53,437	1.227

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TP WESTBURY, LLC, THROUGH THE UNDER SIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT DESIGNATION THE HEREIN ABOVE DESCRIBED PROPERTY AS WESTBURY AT TRIBUTE, PHASE 1C1, AN ADDITION TO THE CITY OF THE COLONY, TEXAS, AND DOES HEREBY DEDICATE IN FEE SIMPLE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREON; AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE FINAL PLAT FOR MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN HEREIN. TP WESTBURY, LLC, DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS ON SAID FINAL PLAT. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

EXECUTED this ____day of _____, 2016.

TP WESTBURY, LLC, a Texas limited partnership, its general partner

By: MSW Wynnwood Holdings, Ltd., a Texas limited partnership, its general partner

By: MSW Wynnwood Holdings GP, LLC, a Texas limited liability company, its general partner

By: _____
Name: Kristian T. Teleki
Title: Senior Vice President

NOTARY CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared Kristian Teleki, Sr. Vice President of MSW Wynnwood Holdings GP, LLC, a Texas limited liability company on behalf of MSW Wynnwood Holdings, Ltd., a Texas limited partnership on behalf TP Westbury, LLC, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated..

Given under my hand and seal of office, this _____ day of _____, 2016.

Notary Public in and for the State of Texas

SURVEYOR’S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARK W. HARP, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of The Colony, Denton County, Texas.

MARK W. HARP, R.P.L.S. No. 6425



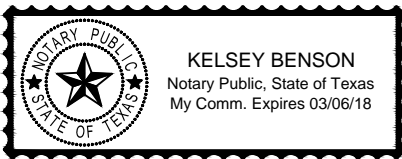
STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared MARK W. HARP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this _____ day of _____, 2016.

Notary Public in and for the State of Texas



CITY SIGNATURE BLOCK

"On the _____ day of _____, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony.

Signed: _____
Chairman of the Planning and Zoning Commission

Attest: _____
City Secretary

MSW039A ~ WESTBURY PHASE 1C1

Parcel name: PHASE 1C1 CLOSURE			
North:	7094850.5464	East :	2454562.9942
Curve Length:	535.53	Radius:	1685.00
Delta:	18–12–36	Tangent:	270.04
Chord:	533.28	Course:	S 31–22–02 W
Course In:	S 49–31–40 E	Course Out:	N 67–44–16 W
RP North:	7093756.8477	East :	2455844.8086
End North:	7094395.2033	East :	2454285.4090
Line Course:	S 66–06–52 W	Length:	35.80
North:	7094380.7075	East :	2454252.6751
Line Course:	N 69–36–29 W	Length:	355.43
North:	7094504.5536	East :	2453919.5195
Line Course:	N 22–38–26 E	Length:	82.82
North:	7094580.9913	East :	2453951.4010
Line Course:	N 24–17–17 E	Length:	55.21
North:	7094631.3146	East :	2453974.1102
Line Course:	N 25–49–11 E	Length:	55.21
North:	7094681.0130	East :	2453998.1564
Line Course:	N 27–21–06 E	Length:	55.21
North:	7094730.0507	East :	2454023.5227
Line Course:	S 61–52–57 E	Length:	120.00
North:	7094673.4969	East :	2454129.3606
Curve Length:	3.55	Radius:	1945.00
Delta:	0–06–16	Tangent:	1.77
Chord:	3.54	Course:	N 28–10–11 E
Course In:	S 61–52–57 E	Course Out:	N 61–46–41 W
RP North:	7093756.8548	East :	2455844.8175
End North:	7094676.6225	East :	2454131.0344
Line Course:	S 61–46–41 E	Length:	170.00
North:	7094596.2315	East :	2454280.8252
Line Course:	N 29–01–18 E	Length:	49.54
North:	7094639.5511	East :	2454304.8591
Line Course:	N 30–37–15 E	Length:	49.54
North:	7094682.1830	East :	2454330.0925
Line Course:	N 32–13–06 E	Length:	49.44
North:	7094724.0104	East :	2454356.4513
Line Course:	N 33–49–08 E	Length:	49.73
North:	7094765.3261	East :	2454384.1295
Line Course:	N 35–25–45 E	Length:	50.02
North:	7094806.0841	East :	2454413.1259
Line Course:	N 38–26–38 E	Length:	136.73
North:	7094913.1734	East :	2454498.1375
Line Course:	S 46–00–12 E	Length:	90.16
North:	7094850.5468	East :	2454562.9968
Perimeter: 1943.93 Area: 118,583 sq.ft. 2.722 acres			
Mapcheck Closure – (Uses listed courses, radii, and deltas)			
Error Closure:	0.0026	Course:	N 81–08–22 E
Error North:	0.00041	East :	0.00261
Precision 1: 747,661.54			

CITY CASE NO. FP16–0001
FINAL PLAT
WESTBURY AT TRIBUTE,
PHASE 1C1
8 RESIDENTIAL LOTS AND 1 COMMON AREA LOTS
LOTS 36–39, BLOCK Y, LOTS 1–4 & 40X, BLOCK Z
BEING 2.722 ACRES OUT OF THE
B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 182,
THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TP WESTBURY, LLC OWNER/DEVELOPER

16301 Quorum Drive, Suite 200 B (972) 221–1199
Addison, Texas 75001
Contact: Kristian Teleki, P.E.

JB PARTNERS, INC. SURVEYOR/ENGINEER

16301 Quorum Drive, Suite 200 B (972) 248–7676
Addison, Texas 75001
Contact: Jason Kaiser, P.E.
TBPE No. F–438 TBPLS No. 10076000

Revised: JANUARY 26, 2016
Revised: JANUARY 15, 2016
Date: DECEMBER 11, 2015

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: February 9, 2016

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *FP16-0002, Westbury at Tribute, Phase 1B Final Plat*

Consider approval of a Final Plat of Lots 23-30, Block R, Lot 1X, Block S, Lots 1-12, & 24, Block T, Lots 1-5 & 16-19, Block U, Lots 9-12, Block V and Lots 1-4, Block X for a total of thirty eight (38) residential lots and one (1) common area lot being a 9.812 acres tract of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas northwest of Prescott and Oxford Roads and north of the Tribute K-8 Stem Academy Addition in Planned Development 23 (PD-23) zoning district.

APPLICANT

Owner/Developer:	Tribute Partners LP	Lewisville, Texas
Engineer/Surveyor:	JBH Partners Inc.	Addison, Texas

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped.

PROPOSED DEVELOPMENT

38 residential lots and 1 common area are proposed with lots varying from 6,011 sf to 12,199 sf. The open space is 27,300 sf. The residential lots will be accessed through Burnley, Prescott, Telford and Broughton Road.

ADJACENT ZONING

North - Planned Development District (PD-23) – Tribute
South - Planned Development District (PD-23) – Tribute K-8 Stem Academy
East- Planned Development District (PD-23) – Tribute
West- Planned Development District (PD-23) – Tribute

PLAT DETAILS

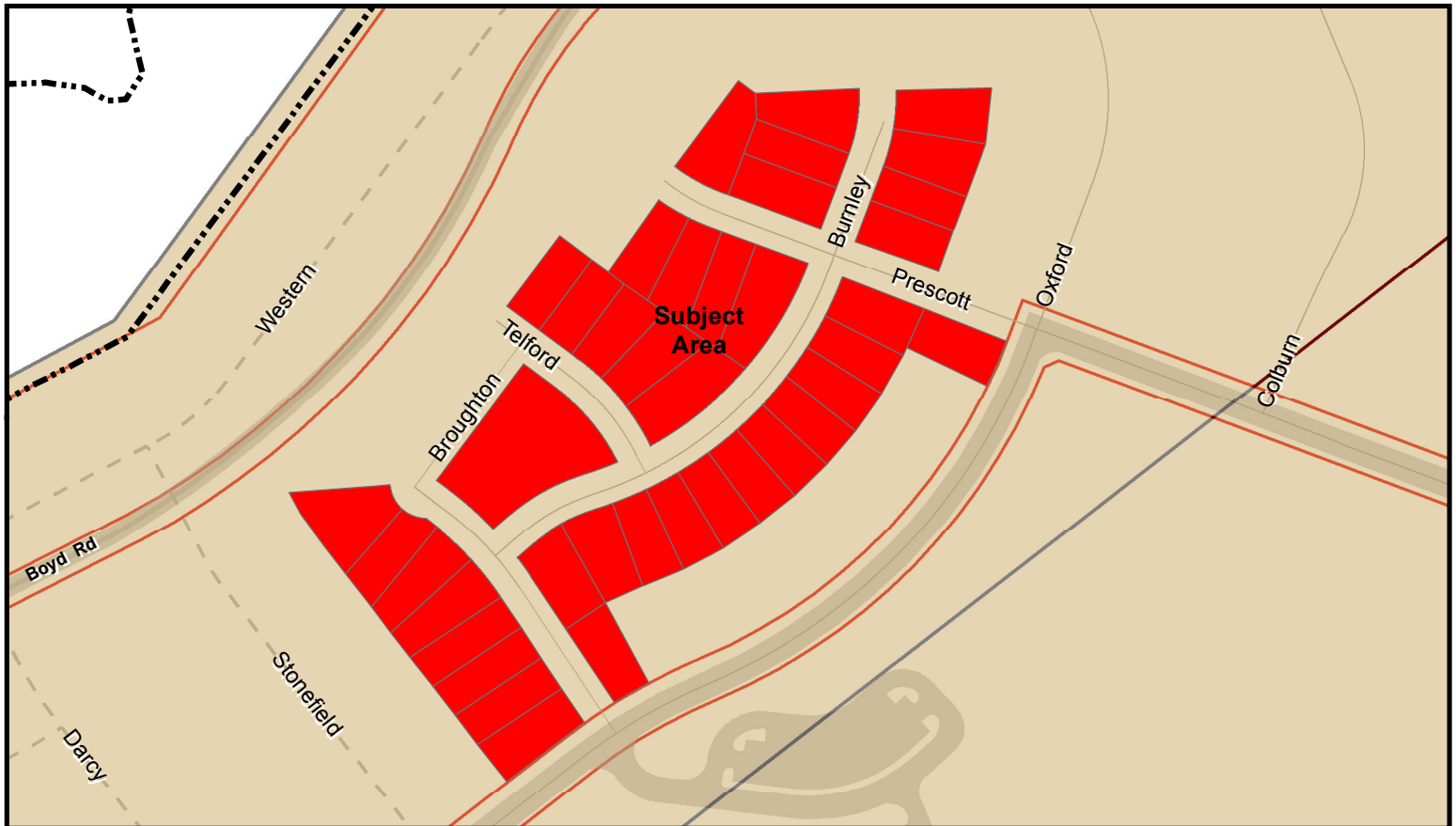
The subject property is located on the northwest quadrant of Oxford and Prescott Road. A 9.812 acre of land is being subdivided into 38 residential lots and 1 common area. The Final Plat meets, Appendix B, Subdivision Ordinance, of The Colony Code of Ordinances, PD 23 Ordinance and other applicable ordinance requirements.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Final Plat.

ATTACHMENTS

1. Location Map
2. Proposed Final Plat



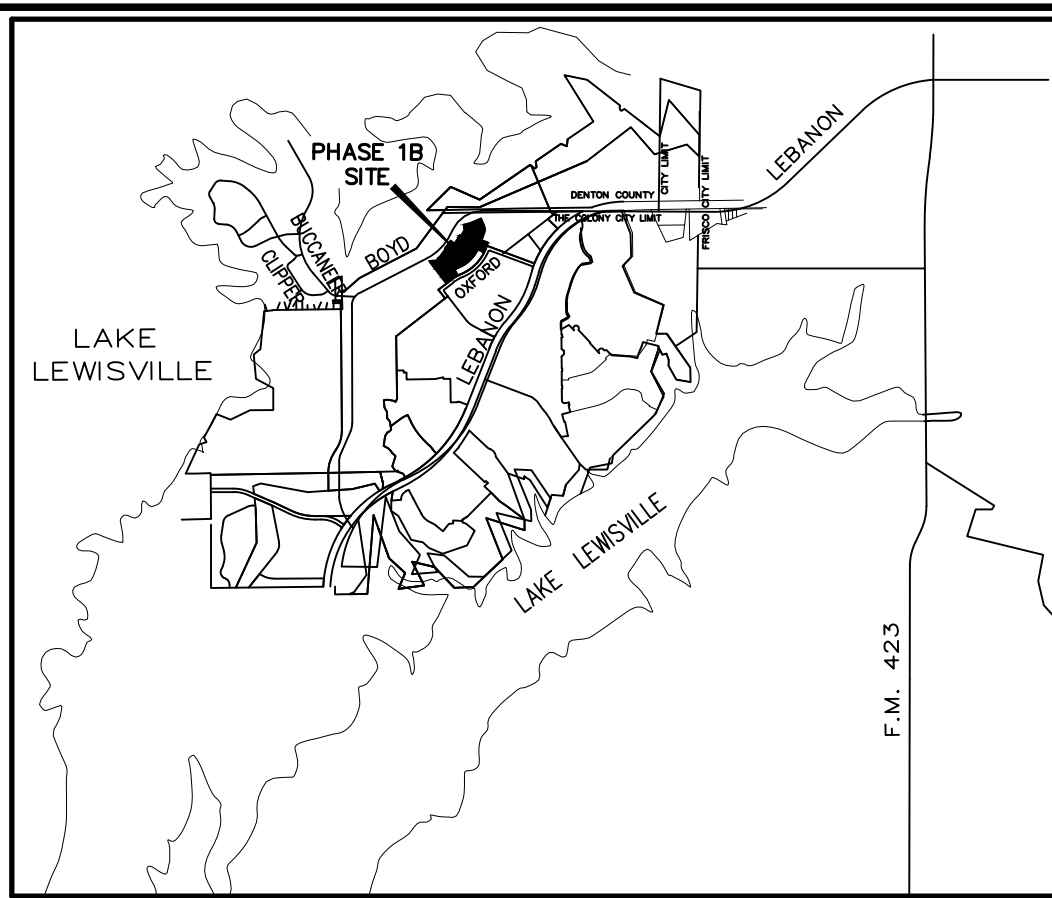
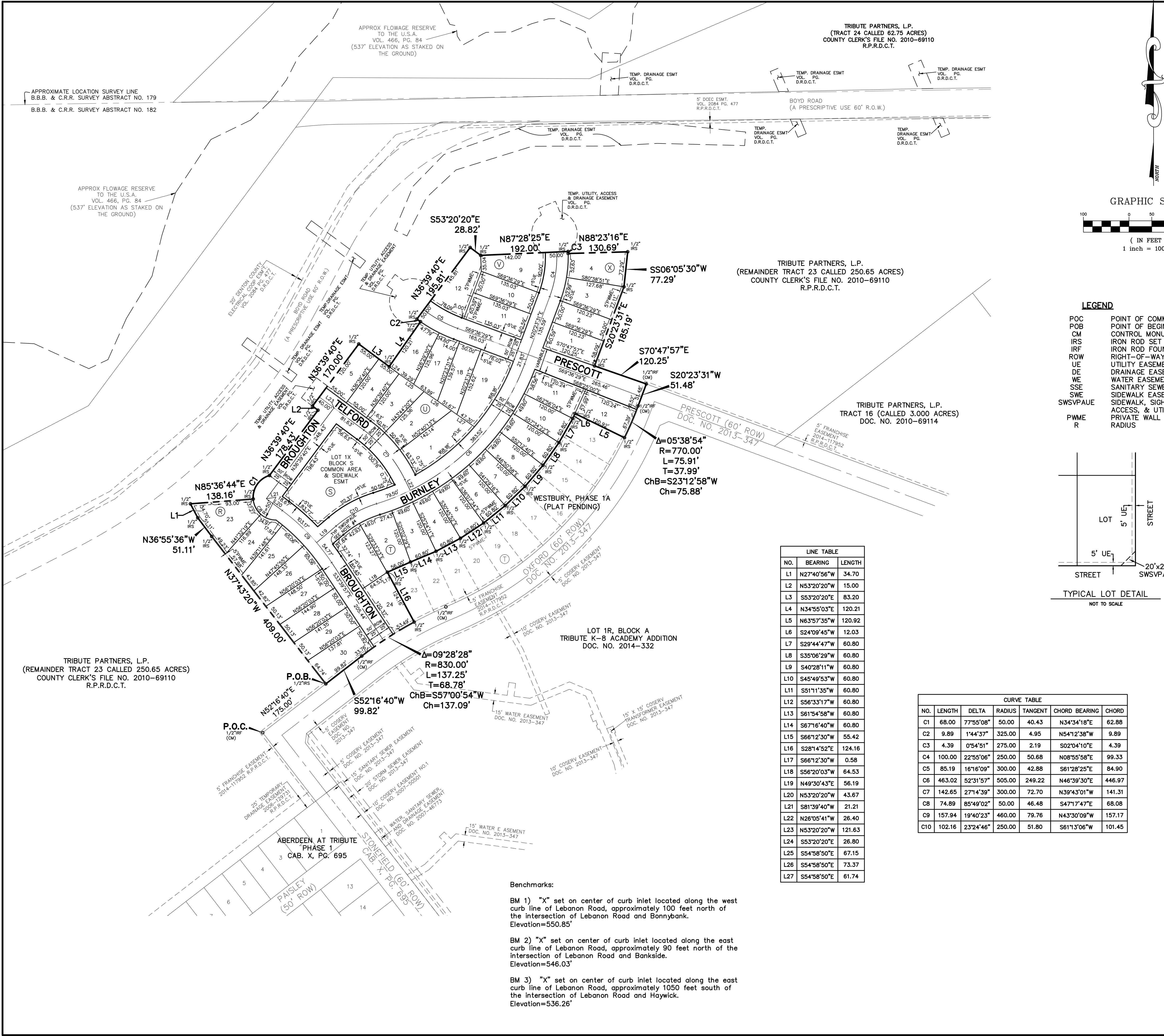
Project No. FP16-0002 - Project Name: Westbury at Tribute Ph 1B



■ Westbury Ph 1B	■ Business Park/Industrial	■ Heavy Commercial	■ Mobile Home	■ Planned Development
■ Agricultural	■ Duplex Dwelling	■ Industrial	■ Neighborhood Service	■ Shopping Center
■ Business Park	■ General Retail	■ Light Commercial	■ Office District 1	■ Single Family Dwelling

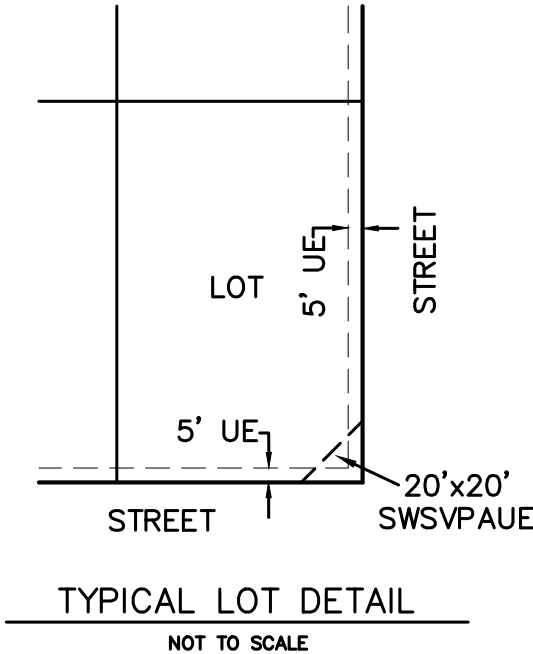
This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





- NOTES:
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 - ALL LOTS ARE LOCATED OUTSIDE OF THE PROPOSED 537'-FT CONTOUR LINE AS SURVEYED ON THE GROUND.
 - ALL COMMON AREA LOTS AS SHOWN HEREON ARE TO BE MAINTAINED BY AND DEDICATED TO THE TRIBUTE HOMEOWNER'S ASSOCIATION (HOA) VIA THE EXECUTION AND FILING OF THIS FINAL PLAT WITH RESPECTIVE COUNTY.
 - A 20'x20' SIDEWALK, SIGHT VISIBILITY, PUBLIC ACCESS AND UTILITY EASEMENT WILL BE AT ALL RIGHT-OF-WAY INTERSECTIONS WITH A BARRIER FREE RAMP.
 - ALL FINISHED FLOORS SHALL BE A MINIMUM OF TWO FEET ABOVE THE 537' CONTOUR LINE OR THE 100-YEAR FLOODPLAIN, WHICHEVER IS GREATER.
 - SIDEWALKS (WHICH ARE REQUIRED IN ALL RESIDENTIAL DISTRICTS AND WHEREVER PEDESTRIAN TRAFFIC MAY BE GENERATED) SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF THE COLONY'S SPECIFICATIONS. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ALONG THE REAR AND SIDE LOTS THAT ADJUT THOROUGHFARES OR WHICH ADJUT PERIMETER STREETS, OR WHERE AN ALLEY IS ADJACENT TO A THOROUGHFARE, THE BUILDER ON A LOT WILL CONSTRUCT ALL OTHER SIDEWALKS ON THE FRONT AND SIDE OF LOTS INTERNAL STREETS.
 - BASIS OF BEARINGS: BASED ON MONUMENTS FOUND ALONG THE WEST RIGHT-OF-WAY LINE OF OXFORD, AS RECORDED IN DOCUMENT NUMBER 2013-347, DENTON COUNTY PLAT RECORDS.
 - ALL CORNERS LABELED 1/2" IRS, ARE ONE-HALF INCH IRON RODS WITH YELLOW CAP STAMPED "JBI".
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 4812100560 G, DATED APRIL 18, 2011, SUBJECT TRACT LIES IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
 - SETBACKS ARE ESTABLISHED IN ACCORDANCE WITH PD-18 AND PD-23.

- LEGEND**
- | | |
|----------|--|
| POC | POINT OF COMMENCING |
| POB | POINT OF BEGINNING |
| CM | CONTROL MONUMENT |
| IRS | IRON ROD SET |
| IRF | IRON ROD FOUND |
| ROW | RIGHT-OF-WAY |
| UE | UTILITY EASEMENT |
| DE | DRAINAGE EASEMENT |
| WE | WATER EASEMENT |
| SSE | SANITARY SEWER EASEMENT |
| SWE | SIDEWALK EASEMENT |
| SWSVPAUE | SIDEWALK, SIGHT VISIBILITY, PUBLIC ACCESS, & UTILITY ESMNT |
| PWME | PRIVATE WALL MAINTENANCE EASEMENT |
| R | RADIUS |



LINE TABLE		
NO.	BEARING	LENGTH
L1	N27°40'56"W	34.70
L2	N53°20'20"W	15.00
L3	S53°20'20"E	83.20
L4	N34°55'03"E	120.21
L5	N63°57'35"W	120.92
L6	S24°09'45"W	12.03
L7	S29°44'47"W	60.80
L8	S35°06'29"W	60.80
L9	S40°28'11"W	60.80
L10	S45°49'53"W	60.80
L11	S51°11'35"W	60.80
L12	S56°33'17"W	60.80
L13	S61°54'58"W	60.80
L14	S67°16'40"W	60.80
L15	S66°12'30"W	55.42
L16	S28°14'52"E	124.16
L17	S66°12'30"W	0.58
L18	S56°20'03"W	64.53
L19	N49°30'43"E	56.19
L20	N53°20'20"W	43.67
L21	S81°39'40"W	21.21
L22	N26°05'41"W	26.40
L23	N53°20'20"W	121.63
L24	S53°20'20"E	26.80
L25	S54°58'50"E	67.15
L26	S54°58'50"E	73.37
L27	S54°58'50"E	61.74

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	68.00	77°55'08"	50.00	40.43	N34°34'18"E	62.88
C2	9.89	1°44'37"	325.00	4.95	N54°12'38"W	9.89
C3	4.39	0°54'51"	275.00	2.19	S02°04'10"E	4.39
C4	100.00	22°55'06"	250.00	50.68	N08°55'58"E	99.33
C5	85.19	16°16'09"	300.00	42.88	S61°28'25"E	84.90
C6	463.02	52°31'57"	505.00	249.22	N46°39'30"E	446.97
C7	142.65	27°14'39"	300.00	72.70	N39°43'01"W	141.31
C8	74.89	85°49'02"	50.00	46.48	S47°17'47"E	68.08
C9	157.94	19°40'23"	460.00	79.76	N43°30'09"W	157.17
C10	102.16	23°24'46"	250.00	51.80	S61°13'06"W	101.45

CITY CASE NO. FP16-0002
FINAL PLAT

WESTBURY AT TRIBUTE,
PHASE 1B

38 RESIDENTIAL LOTS AND 1 COMMON AREA LOT

LOTS 23-30, BLOCK R, LOT 1X, BLOCK S,
LOTS 1-12 & 24, BLOCK T, LOTS 1-5 & 16-19, BLOCK U,
LOTS 9-12, BLOCK V; LOTS 1-4, BLOCK X

BEING 9.812 ACRES OUT OF THE
B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 182,
THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TP WESTBURY, LLC	OWNER/DEVELOPER
320 West Main Street Lewisville, Texas 75057 Contact: Kristian Teleki, P.E.	(972) 221-1199
JBI PARTNERS, INC.	SURVEYOR/ENGINEER
16301 Quorum Drive, Suite 200 B Addison, Texas 75001 Contact: Jason Kaiser, P.E. TBPE No. F-438 TBPLS No. 10076000	(972)248-7676

Resubmitted: January 27, 2016
Submitted: January 8, 2016

Sheet 1 of 2

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, Tribute Partners, L.P. is the owner of a parcel of land located in the City of the Colony, Denton County, Texas, being a part of the B.B.B. & C.R.R. Survey, Abstract No. 182, and also being a part of that called 250.65 acre tract of land described in deed to Tribute Partners, L.P. as recorded in Document Number 2010-69110, Denton County Deed Records, and being further described as follows:

COMMENCING at a one-half inch iron rod found at the intersection of the west right-of-way line of Oxford (a 60 foot wide right-of-way) with the south right-of-way line of Stonefield (a 60 foot wide right-of-way) dedicated by plot of Tribute K-8 Academy Addition, an addition to the City of The Colony as recorded in Document Number 2013-347, Denton County Plat Records;

THENCE North 52 degrees 16 minutes 40 seconds East, 175.00 feet along the west right-of-way line of said Oxford to a one-half inch iron rod set for corner at the POINT OF BEGINNING of this tract of land;

THENCE North 37 degrees 43 minutes 20 seconds West, 409.00 feet to a one-half inch iron rod set for corner;

THENCE North 36 degrees 55 minutes 36 seconds West, 51.11 feet to a one-half inch iron rod set for corner;

THENCE North 27 degrees 40 minutes 56 seconds West, 34.70 feet to a one-half inch iron rod set for corner;

THENCE North 85 degrees 36 minutes 44 seconds East, 138.16 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 68.00 feet along a curve to the right having a central angle of 77 degrees 55 minutes 08 seconds, a radius of 50.00 feet, a tangent of 40.43 feet, and whose chord bears North 34 degrees 34 minutes 18 seconds East, 62.88 feet to a one-half inch iron rod set for corner;

THENCE North 36 degrees 39 minutes 40 seconds East, 178.43 feet to a one-half inch iron rod set for corner;

THENCE North 53 degrees 20 minutes 20 seconds West, 15.00 feet to a one-half inch iron rod set for corner;

THENCE North 36 degrees 39 minutes 40 seconds East, 170.00 feet to a one-half inch iron rod set for corner;

THENCE South 53 degrees 20 minutes 20 seconds East, 83.20 feet to a one-half inch iron rod set for corner;

THENCE North 34 degrees 55 minutes 03 seconds East, 120.21 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 9.89 feet along a curve to the right having a central angle of 01 degrees 44 minutes 37 seconds, a radius of 325.00 feet, a tangent of 4.95 feet, and whose chord bears North 54 degrees 12 minutes 38 seconds West, 9.89 feet to a one-half inch iron rod set for corner;

THENCE North 36 degrees 39 minutes 40 seconds East, 195.81 feet to a one-half inch iron rod set for corner;

THENCE South 53 degrees 20 minutes 20 seconds East, 28.82 feet to a one-half inch iron rod set for corner;

THENCE North 87 degrees 28 minutes 25 seconds East, 192.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 4.39 feet along a curve to the left having a central angle of 00 degrees 54 minutes 51 seconds, a radius of 275.00 feet, a tangent of 2.19 feet, and whose chord bears South 02 degrees 04 minutes 10 seconds East, 4.39 feet to a one-half inch iron rod set for corner;

THENCE North 88 degrees 23 minutes 16 seconds East, 130.69 feet to a one-half inch iron rod set for corner;

THENCE South 06 degrees 05 minutes 30 seconds West, 77.29 feet to a one-half inch iron rod set for corner;

THENCE South 20 degrees 23 minutes 31 seconds West, 185.19 feet to a one-half inch iron rod set for corner;

THENCE South 70 degrees 47 minutes 57 seconds East, 120.25 feet to a one-half inch iron rod found for corner, said point being at the intersection of the west right-of-way line of Oxford with the north right-of-way line of Prescott (a 60 foot wide right-of-way) dedicated by said plot of Tribute K-8 Academy Addition;

THENCE along the west right-of-way line of Oxford as follows:

South 20 degrees 23 minutes 31 seconds West, 51.48 feet to a one-half inch iron rod found for corner;
Southwesterly, 75.91 feet along a curve to the right having a central angle of 05 degrees 38 minutes 54 seconds, a radius of 770.00 feet, a tangent of 37.99 feet, and whose chord bears South 23 degrees 12 minutes 58 seconds West, 75.88 feet to a one-half inch iron rod set for corner;

THENCE North 63 degrees 57 minutes 35 seconds West, 120.92 feet to a one-half inch iron rod set for corner;

THENCE South 24 degrees 09 minutes 45 seconds West, 12.03 feet to a one-half inch iron rod set for corner;

THENCE South 29 degrees 44 minutes 47 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 35 degrees 06 minutes 29 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 40 degrees 28 minutes 11 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 45 degrees 49 minutes 53 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 51 degrees 11 minutes 35 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 56 degrees 33 minutes 17 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 61 degrees 54 minutes 58 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 67 degrees 16 minutes 40 seconds West, 60.80 feet to a one-half inch iron rod set for corner;

THENCE South 66 degrees 12 minutes 30 seconds West, 55.42 feet to a one-half inch iron rod set for corner;

THENCE South 28 degrees 14 minutes 52 seconds East, 124.16 feet to a one-half inch iron rod set for corner on the west right-of-way line of said Oxford;

THENCE continuing along the west right-of-way line of said Oxford as follows:

Southwesterly, 137.25 feet along a curve to the left having a central angle of 09 degrees 28 minutes 28 seconds, a radius of 830.00 feet, a tangent of 68.78 feet, and whose chord bears South 57 degrees 00 minutes 54 seconds West, 137.09 feet to a one-half inch iron rod found for corner;

South 52 degrees 16 minutes 40 seconds West, 99.82 feet to the POINT OF BEGINNING and containing 427,431 square feet or 9.812 acres of land.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TP WESTBURY, LLC, THROUGH THE UNDER SIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT DESIGNATION THE HEREIN ABOVE DESCRIBED PROPERTY AS WESTBURY AT TRIBUTE, PHASE 1B, AN ADDITION TO THE CITY OF THE COLONY, TEXAS, AND DOES HEREBY DEDICATE IN FEE SIMPLE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREON; AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE FINAL PLAT FOR MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN HEREIN. TP WESTBURY, LLC, DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS ON SAID FINAL PLAT. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

EXECUTED this ____day of _____ 2016.

TP Westbury, LLC, a Texas limited partnership, its general partner

By: MSW Wynnwood Holdings, Ltd., a Texas limited partnership, its general partner

By: MSW Wynnwood Holdings GP, LLC, a Texas limited liability company, its general partner

By: _____
Name: Kristian T. Teleki
Title: Senior Vice President

NOTARY CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared Kristian Teleki, Sr. Vice President of MSW Wynnwood Holdings GP, LLC, a Texas limited liability company on behalf of MSW Wynnwood Holdings, Ltd., a Texas limited partnership on behalf TP Westbury, LLC, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ____ day of _____ 2016.

Notary Public in and for the State of Texas

LOT AREA TABLE		
BLOCK - LOT	SQ. FT.	ACRES
R - 23	10,269	0.236
R - 24	7,008	0.161
R - 25	7,884	0.181
R - 26	8,031	0.184
R - 27	7,336	0.168
R - 28	7,159	0.164
R - 29	6,982	0.16
R - 30	8,134	0.187
S - 1X	27,300	0.627
T - 1	8,410	0.193
T - 2	8,106	0.186
T - 3	6,596	0.151
T - 4	6,596	0.151
T - 5	6,596	0.151
T - 6	6,596	0.151
T - 7	6,596	0.151
T - 8	6,596	0.151
T - 9	6,596	0.151
T - 10	6,596	0.151
T - 11	7,681	0.176
T - 12	7,585	0.174
T - 13	7,224	0.166
U - 1	10,273	0.236
U - 2	8,098	0.186
U - 3	7,229	0.166
U - 4	6,600	0.152
U - 5	6,600	0.152
U - 16	6,958	0.16
U - 17	7,349	0.169
U - 18	7,305	0.168
U - 19	10,568	0.243
V - 9	7,876	0.181
V - 10	6,011	0.138
V - 11	6,011	0.138
V - 12	12,199	0.280
X - 1	7,134	0.164
X - 2	6,011	0.138
X - 3	7,952	0.183

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARK W. HARP, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of The Colony, Denton County, Texas.

MARK W. HARP, R.P.L.S. No. 6425



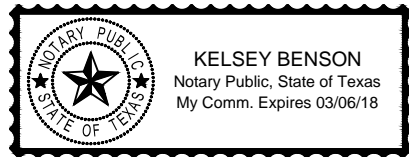
STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared MARK W. HARP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____ 2016.

Notary Public in and for the State of Texas



CITY SIGNATURE BLOCK

"On the ____ day of _____ 2016, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony.

Signed, _____
Chairman of the Planning and Zoning Commission

Attest: _____
City Secretary

CITY CASE NO. FP16-0002
FINAL PLAT

WESTBURY AT TRIBUTE,
PHASE 1B

38 RESIDENTIAL LOTS AND 1 COMMON AREA LOT

LOTS 23-30, BLOCK R, LOT 1X, BLOCK S,
LOTS 1-12 & 24, BLOCK T, LOTS 1-5 & 16-19, BLOCK U,
LOTS 9-12, BLOCK V; LOTS 1-4, BLOCK X

BEING 9.812 ACRES OUT OF THE
B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 182,

THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TP WESTBURY, LLC OWNER/DEVELOPER

320 West Main Street
Lewisville, Texas 75057
Contact: Kristian Teleki, P.E. (972) 221-1199

JBI PARTNERS, INC. SURVEYOR/ENGINEER

16301 Quorum Drive, Suite 200 B
Addison, Texas 75001
Contact: Jason Kaiser, P.E.
TBPE No. F-438 TBPLS No. 10076000

Resubmitted: January 27, 2016
Submitted: January 8, 2016

Sheet 2 of 2